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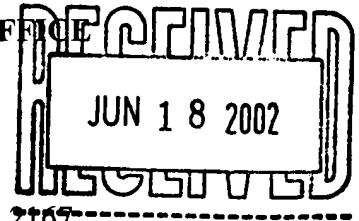
JUN 12 2002

Technology Center 2100

Attorney Docket No. 82001-0317

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Dean Weldon BOYD et al.

Application No.: 09/987,706

Filed: November 15, 2001

For: PROMOTION PRICING SYSTEM AND METHOD

)  
)  
) Art Unit: 2167  
)  
) Examiner: Not Yet Known  
)

Commissioner for Patents  
Washington, D.C. 20231

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of each of the listed documents is submitted herewith.

This information disclosure statement is being filed within one of the following time periods: before the mailing date of a first Office Action on the merits. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicants respectfully request that the Examiner consider the International Search Report (U.S. Search Authority) dated March 15, 2002 in PCT Application PCT/US01/43100. Each cited reference listed on the PTO-1449 was first cited in the subject communication from the International Search Authority in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. § 1.97(e)(1). Applicants further request that the Examiner considers the listed documents and evidence that consideration by making appropriate notations on the attached form PTO-1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art."

the Examiner applies the documents as "prior art" against any claims in the application and Applicants determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: June 11, 2002

By: 

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Sheet 1 of 1

FORM PTO-1449 (Modified)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO.	APPLICATION NO.
		82001-0317	09/987,706
		Technology Center 2100	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)		APPLICANTS  Dean Weldon BOYD et al.	
		FILING DATE November 15, 2001	GROUP 2167

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,029,139	02/22/2000	Cunningham et al.	705	10	01/28/1998
	6,044,357	03/28/2000	Garg	705	10	05/05/1998
	6,061,691	05/09/2000	Fox	707	104	12/18/1998
	6,085,164	07/04/2000	Smith et al.	705	5	03/04/1997
	6,094,641	07/25/2000	Ouimet	705	10	05/21/1998
	6,223,163	04/24/2001	Van Luchene	705	1	03/20/1998

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

	DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	ABSTRACT	
						Yes	No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	International Search Report (U.S. Search Authority), PCT/US01/43100, dated March 25, 2002
	FRIEDMAN, D.D., "Price Theory: An Intermediate Text," 2 <sup>nd</sup> Edition, South-Western Publishing Co., 1990, Chapter 10, Part 2, Pages 255-263
	MOHN, N.C., "Pricing Research For Decision Making," Marketing Research, Winter 1995, Vol. 7, No. 1, pp. 10-19
	GARRY, M., "Computing Promotions," Progressive Grocer, July 1995, Vol. 74, No. 7, p. 95
	ANON, "Hyperion and Informatica Help Customers Extend the Value of Data in ERP Systems and Data Warehouses," Business Wire, 27 April, 1999

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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